

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

VINCENT GILLESPIE)
v.) CIVIL ACTION NO. 03-30196-MAP
ELI LILLY AND COMPANY)

ORDER OF RECUSAL

March 17, 2004

PONSOR, D.J.

The court hereby recuses itself from any involvement in the above-entitled matter. The undersigned represented the decedent, Gregory Gillespie, while in private practice and has in the past had a degree of personal acquaintance with his family.

It should be noted that Magistrate Judge Neiman has recommended dismissal of Counts I, II, III and V of the five-count complaint and that plaintiff has objected to this recommendation, as it pertains to Counts I, II and V. The judge receiving the transfer of this case will address these objections and oversee future proceedings.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
United States District Judge